

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

GERRY HUMMELL, as Personal
Representative of the Estate of
Lance Hummell,

Plaintiff,

vs.

No. 11-CV-00765 GBW/WPL

HORACIO RIVERA and DENNIS CAMP,
individually and in their official capacity as
Members of the Las Cruces Police Department,
and the CITY OF LAS CRUCES,

Defendants.

STIPULATED ORDER REGARDING THE TRIAL TESTIMONY
OF DR. CRAIG D. UCHIDA

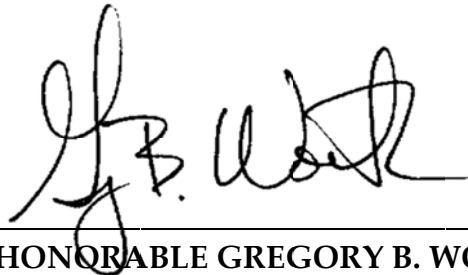
THIS MATTER having come before the Court during a Pretrial Conference held on January 17, 2013; Plaintiff, the Estate of Lance Hummell, appearing by and through his counsel of record, the Law Offices of James P. Lyle, P.C. (James P. Lyle), and Defendants the City of Las Cruces and Horatio Rivera, appearing by and through their counsel of record, HOLT MYNATT MARTINEZ, P.C. (Damian Martinez and Casey B. Fitch); the Court having reviewed its file and being otherwise sufficiently advised in the premises, **FINDS** the following as the appropriate parameters for Dr. Uchida's testimony at trial.

1. Dr. Uchida may testify as to the recommendations he gave to the City of Las Cruces in May 2009 as part of his report entitled "Assessing the Las Cruces Police Department: A Review of Community Perceptions and Procedures."

2. Dr. Uchida may not testify whether Defendants' use of force in this case comports with his report or the recommendations contained therein.

3. Dr. Uchida may testify whether any changes in policy Defendant City of Las Cruces has implemented since May 2009 address the recommendations contained in his report.

IT IS SO ORDERED.

A handwritten signature in black ink, appearing to read "G.B. Wormuth", is written over a horizontal line.

**HONORABLE GREGORY B. WORMUTH
UNITED STATES MAGISTRATE JUDGE**